

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JESSIE GONZALEZ, Derivatively on behalf of
MICRON TECHNOLOGY, INC.,

Plaintiff,

v.

SANJAY MEHROTRA, et al.,

Defendants,

-and-

MICRON TECHNOLOGY, INC.,

Nominal Defendant.

**STIPULATION OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE AND ~~PROPOSED~~ ORDER**

Plaintiff Jessie Gonzalez and defendants Sanjay Mehrotra, Ernest E. Maddock, David A. Zinsner, Robert L. Bailey, Richard M. Beyer, Patrick J. Byrne, Mercedes Johnson, Lawrence N. Mondry, Robert E. Switz (the “Individual Defendants”), and nominal defendant Micron Technology, Inc. (“Micron”) (collectively, the “Defendants,” and together with Plaintiff, the “Parties”) through their undersigned counsel, and subject to the approval of the Court, hereby stipulate and agree as follows:

WHEREAS, on March 4, 2019, the Verified Shareholder Derivative Complaint was filed;

WHEREAS on December 4, 2019, the Court entered a Stipulation and Order staying this Action until resolution of the motion to dismiss that had been filed in the action pending in the United States District Court for the Northern District of California captioned *In re Dynamic Random Access Memory (DRAM) Indirect Purchaser Antitrust Litigation*, No. 18-cv-2518 (N.D. Cal.) (the “Antitrust Direct Purchaser Matter”) (D.I. 112);

WHEREAS the Antitrust Direct Purchaser Matter, as well as other related matters, have now been dismissed, with prejudice;

WHEREAS, Defendants have requested Plaintiff to voluntarily dismiss this action without prejudice, and Plaintiff has consented;

WHEREAS the Parties agree that the dismissal is not, and shall not be deemed to be, an adjudication of the action on the merits, that each Party has complied with Rule 11, and that each Party shall bear his, her, or its own fees and costs incurred in connection with the action; and

WHEREAS, the parties respectfully submit that notice of this dismissal to stockholders pursuant to Federal Rule of Civil Procedure 23.1(c) is not necessary to protect the interests of Micron and its stockholders because: (i) the dismissal is without prejudice; (ii) there has been no settlement or compromise of the action; (iii) there has been no collusion among the parties; and (iv) neither Plaintiff nor her counsel has received or will receive directly or indirectly any consideration from Defendants for the dismissal.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by the parties through their undersigned counsel, pursuant to Rules 23.1(c) and 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure and subject to Court approval, that:

1. This action is dismissed in its entirety without prejudice;
2. For the reasons stated above, no notice of this dismissal is required; and
3. The parties are to bear their own costs, fees, and expenses.

IT IS SO STIPULATED.

Dated: November 11, 2022

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Respectfully submitted,

/s/ Brian E. Farnan

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Patrick J. Byrne, Mercedes Johnson,
Lawrence N Mondry, and Robert E. Switz*

SO ORDERED this 15th day of November, 2022.



United States District Judge